

REMARKS

Claims 1-42, 56-67, and 69-100, 102 and 103-106 are now pending in this application. Claims 69, 73, and 85 have been amended². Claims 70-72 and 101 have been cancelled. Claims 104-106 have been added.

The Office Action states that a supplemental declaration is required to cover errors corrected by the claim changes which have been made since the previous supplemental declaration was filed. Claims 1-42, 56-67, and 69-103 were rejected based upon a defective reissue declaration under 35 U.S.C. § 251, for the same reasoning.

According to Applicants' understanding of MPEP § 1444, Applicants may wait until the reissue application is otherwise in condition for allowance before submitting the required supplemental declaration under 35 C.F.R. § 1.175(b), since a declaration complying with 37 C.F.R. § 1.175(a) already has been submitted.³ Accordingly, Applicants respectfully request to defer the filing of the supplemental declaration to overcome the Section 251 rejection until the application is otherwise in condition for allowance.⁴ Of

² Claims 69, 73, and 85 each have been amended to recite that the matrix configuration has a plurality of rows of row wires and N column wires, each of which N column wires being connected exclusively to a corresponding N column lead. Each of those claims also has been amended to recite that the modulation signal comprises a series of one-row data of image data which is to be assigned to the N column wires and each one-row data of image data in the series is sequentially applied one-row data by one-row data to the N column leads in synchronization with the scan signal.

³ This course of action would avoid having to submit a supplemental declaration each time an amendment is filed in this application.

⁴ In any event, cancellation of Claims 70-72 and 101 renders the Section 251 rejection of those claims moot.

course, if the Examiner believes that the supplemental declaration cannot be deferred, he is respectfully requested to contact the undersigned attorney.

Claims 70-72 were objected to for not depending on a previous claim. Each of those claims has been canceled and replaced with Claims 104-106, respectively, which depend from previous Claim 73. Accordingly, it is believed that the objection has been overcome, and its withdrawal is therefore respectfully requested.

In the Office Action, Claims 69-77, 85-92, and 100-103 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 5,160,871 (Tomii et al.), and Claims 78-80 and 93-95 were rejected under 35 U.S.C. § 103(a) as obvious over Tomii et al. in view of U.S. Patent 4,095,133 (Hoeberechts).

Initially, cancellation of Claims 70-72 and 101 renders the Section 102(e) rejection of those claims moot.

Independent Claim 69, as amended, recites a display apparatus comprising an electron source plate, having a substrate and a plurality of electron-emitting devices arranged in a matrix of rows and columns on the substrate. The electron source plate also comprises a matrix configuration of a plurality of row wires and N column wires respectively corresponding to the rows and columns of the electron-emitting devices arranged in the matrix, and each of the N column wires is connected exclusively to a corresponding one of N column leads. A fluorescent device plate has a fluorescent layer and an acceleration electrode, a housing has a structure adapted for maintaining a vacuumized condition in a space between the electron source plate and the fluorescent device plate, at least a portion of the structure being formed by the electron source plate

and the fluorescent device plate. A voltage applier is disposed outside of the housing, and is arranged for applying (1) a scan signal to the row wires, (2) a modulation signal to the column wires, and (3) an acceleration voltage to the acceleration electrode to accelerate electrons emitted from the electron-emitting devices toward the fluorescent layer of the fluorescent device plate. The modulation signal comprises a series of one-row data of image data which is to be assigned to the N column wires and each one-row data of image data in the series is sequentially applied one-row data by one-row data to the N column leads in synchronization with the scan signal.

In Fig. 3 and from col. 4, line 57 to col. 5, line 10, Tomii et al. refers to gate electrodes 15. When a horizontal scanning line number effective to the NTSC standard television image is 480, the number of gate electrodes 15 is 120 per one base electrode which are successively arranged with a predetermined pitch in the arrow B vertical directions. The first, 121st, 241st, and 361st of the gate electrodes 15 of one group are connected to a common bus 16a. The second, 122nd, 242nd, and 362nd of the gate electrodes 15 of another group are connected to another common bus 16b. Similarly, the nth, (n+120)th, (n+240)th, and (n+360)th gate electrodes 15 are connected to a common bus 16n. In this manner, as a whole, all of the gate electrodes 15 in the groups are connected to 120 common buses.

In the apparatus of Claim 69, on the other hand, the matrix configuration has N column wires, each of which is exclusively connected to a corresponding one of N column leads. Nothing has been found, or pointed out, in Tomii that would teach or suggest these features of Claim 69.

Moreover, according to the manner in which driving apparently is conducted in Tomii (see, e.g., Fig. 5 and from col. 5, line 11 to col. 6, line 2) four-row data (data for a four horizontal scanning interval period) are simultaneously applied over a four horizontal scanning interval period (during 4H). In the apparatus of Claim 69, on the other hand, each one-row image data which is to be assigned to the N column wires is sequentially applied one-row data by one-row data to the N column leads (i.e., N column wires) in synchronization with the scan signal. Nothing has been found, or pointed out, in Tomii et al. that would teach or suggest these features of Claim 69.

For the foregoing reasons, Claim 69 is deemed clearly patentable over Tomii et al.

Independent Claims 73 and 85, as amended, each recite features substantially similar to those of Claim 69 emphasized above, and also are believed clearly patentable over Tomii et al., for substantially the same reasons as is Claim 69.

Claims 81-84 and 96-99 were rejected for obviousness-type double patenting as being unpatentable over Claims 1, 2, and 4 of U.S. Patent 5,066,883 (Yoshioka et al.) in view of Tomii et al.

Claims 81-84 and 96-99 depend from base claims 73 and 85, respectively, which were not rejected for obviousness-type double patenting based on the above grounds. Claims 73 and 85 each recite a matrix wiring configuration having N column wires, each of which is exclusively connected to a corresponding one of N column leads, and each one-row image data which is to be assigned to the N column wires is sequentially applied one-row data by one-row data to the N column leads in synchronization with the scan signal.

For the reasons given above, Tomii et al. is not seen to teach or suggest these features of Claims 73 and 85. Moreover, Claims 1, 2, and 4 of Yoshioka et al. do not recite or suggest these features of Claims 73 and 85. Accordingly, since Claims 81-84 and 96-99 incorporate all of the subject matter of base Claims 73 and 85, respectively, including the above-emphasized subject matter which is not taught or suggested by Tomii et al. nor recited or suggested in Claims 1, 2, and 4 of Yoshioka et al., it is believed that Claims 81-84 and 96-99 are patentable over the art relied on by the Examiner and that the obviousness-type double patenting rejection has been obviated. Accordingly, withdrawal of that rejection is respectfully requested.

Added dependent Claims 104-106 depend from Claim 73, and therefore incorporate all of the features of Claim 73 therein. For substantially the same reasons as those given above in connection with Claim 73, Claims 104-106 also are believed patentable, at least for the reason that each depends from a patentable base claim.

A review of the other art of record, including Hoeberechts, has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

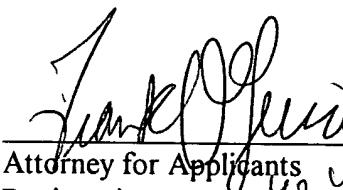
The other claims which have been rejected based on the art identified above are each dependent from one or another of the independent claims discussed above and are therefore believed patentable over that art for the same reasons as are those independent claims. Since each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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